

EI-3046

WEINER BRODSKY SIDMAN KIDER PC

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219764

July 16, 2007

BY HAND

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Re: STB Docket No. AB-391 (Sub-No. 10X), Red River Valley & Western Railroad Company -- Abandonment Exemption -- In Foster and Wells Counties, ND

Dear Secretary Williams:

By a filing dated October 14, 2004, Red River Valley & Western Railroad Company ("RRVW") requested authority from the Surface Transportation Board (the "Board") to abandon an approximately 27.76-mile rail line from milepost 1.4¹ in or near Carrington, North Dakota to the end of the line at approximately milepost 29.16 in or near Bowdon, North Dakota (the "Rail Line"). By a decision served December 1, 2004 (the "Abandonment Decision"), the Board imposed certain conditions on its grant of abandonment authority. This letter advises the Board that RRVW is hereby consummating the abandonment of the Rail Line.

Pursuant to the conditions in the Abandonment Decision, RRVW has consulted with the requisite agencies, and no further consultation is required at this time. The abandonment of the Rail Line also was conditioned on completion of the section 106 process of the NHPA.² In fulfillment of this condition, RRVW attaches a letter from the State Historical Society of North Dakota, dated June 26, 2007.

¹ As noted in RRVW's January 11, 2007, filing, certain Board documents in this proceeding contain a typographical error in which milepost 1.4 is referred to as milepost 21.4. All Board documents in this proceeding correctly refer to the Rail Line's total number of miles, 27.76.

² See Abandonment Decision; January 11, 2007, Letter filed by RRVW in this proceeding.

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Hon. Vernon A. Williams

- 2 -

July 16, 2007

Enclosed for filing in this proceeding are 10 copies of this notice of consummation. Please acknowledge receipt of this letter by date-stamping the enclosed acknowledgment copy and returning it to our messenger.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rose-Michele Nardi". The signature is fluid and cursive, with the first name "Rose" and last name "Nardi" being the most prominent parts.

Rose-Michele Nardi

Enclosures

cc: North Dakota Public Service Commission, 600 E. Boulevard, Dept. 408, Bismarck, ND 58505-0480 (by first-class mail)

Susan Quinnell, State Historical Society of North Dakota, North Dakota Heritage Center, 612 East Boulevard Avenue, Bismarck, ND 58505-0830 (by first-class mail)



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

JUN 29 2007

John Hoeven
Governor of North Dakota

June 26, 2007

North Dakota
State Historical Board

Marvin L. Kaiser
Williston - President

Albert I. Berger
Grand Forks - Vice President

Chester E. Nelson, Jr.
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Gerold Gemholz
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Diane K. Larson
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Director
Parks and Recreation
Department

Mr. Francis Ziegler
Director
Department of
Transportation

Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museums

Mr. Daniel L. Zink
Director of Administration
Red River Valley and Western Railroad Company
PO Box 608
Wahpeton, ND 58074

**ND SHPO Ref.:04-1021 Red River Valley and Western Railroad Company
Abandonment Exemption - Bowdon Line Abandonment, Docket No. AB-391
(Sub-No. 10X) Foster and Wells County, North Dakota**

Dear Mr. Zink,

We reviewed ND SHPO Ref.:04-1021 Bowdon Line Abandonment, Docket No. AB-391 (Sub-No. 10X) Foster and Wells County, North Dakota, and we would concur with a "No Historic Properties Affected" determination, if requested to do so by the lead federal agency, provided the project is of the nature specified and takes place in the legal description listed and plotted in the correspondence, including Docket No. AB-391 (Sub-No. 10X) before the Surface Transportation Board. If any borrow fill material is required, the material should be derived from an approved source, that is, one surveyed by an archaeologist and found to contain no significant cultural resources.

Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Susan Quinnell at (701) 328-3576, or squinnell@nd.gov

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer
(North Dakota)
and
Director, State Historical Society of North Dakota